SPIRIT OF THE PRESS.

Editorial Opinions of the Leading Journals upon Current Topics-Compiled Every Day for the Evening Telegraph.

THE NATURALIZATION BILL.

From the London Saturday Review. The difficulties of framing a new law of naturalization concerned the draftsman rather than the Government; and the bill now before Parliament, though it is confused and awkward in language, is not much more unintelligible than ordinary projects of law. Although legislation has become necessary for political reasons, the principles which will henceforth regulate the retention or transfer of allegiance were inevitably destined to prevail either by direct enactment or by tacit understanding. The reasons which had caused the adoption of the old rule of inalienable nationality had long ceased to be operative; and the constant flow of emigration to the territory of an independent and powerful State involved a practical contradiction of the legal doctrine. Perhaps a tenth part of the inhabitants of the United States may have been born in the United Kingdom, and another fifth part may, as children or grandchildren of English, Scotch, and Irish parents, come within the comprehensive definition of subjects of the English Crown. As all but the most recent settlers are also citizens of the United States, while few even of last year's emigrants have any intention of retracing their steps, it was obviously impossible to reclaim the services of millions of supposed subjects, and it was highly undesirable to undertake any responsibility on their behalf. The anomalous conflict of allegiance was a principal cause of the inglorious war of 1812. The English Government, in assertion of a claim which was fully recognized by American law, imprudently insisted on pressing English sailors on board American ships. In the crisis of the conflict with Napoleon there was a strong temptation to disregard all impediments which obstructed the manning of the navy; but a prudent Government would have anticipated the willingness of the Americans to take advantage of the difficulties of England. The war which was commenced by the Government of the United States for the abolition of the right of search for seamen ended without even a nominal settlement of the disputed question; nor could it be expected that in that generation the concession which had been refused when it would have averted an embarrassing attack would be voluntarily tendered by a government no longer engaged in the desperate European struggle which had encouraged American hostility. In modern times it is certain that the pretension would not be enforced, although it has never been formally abandoned. Indeed the new act will scarcely affect the condition of English sailors on board American ships, as they will seldom have taken the trouble to obtain certificates of naturalization. No further question arose between the peace of 1815 and the commencement of the civil war in 1861. When it became probable that the Northern Government would resort to conscription, many settlers who had never previously thought of their duty to their native country applied to the English Minister and Consul for protection against compulsery service. According to the letter of the law their applications were well founded; but the Crown, in the exercise of its discretion, declined to interfere in cases where the settler had applied for American naturalization. On the other side, the Federal Government readily allowed that English residents who retained their original domicile were exempt from liability to conscription.

The appointment of a commission quire into the laws of naturalization and allegiance, and the bill which was recently introduced by the Lord Chancellor, originated in the Fenian conspiracy and in the jealous and irritable patriotism which is habitually excited in the United States by any occasion of a controversy with England. Many Irish-Americans who were thrown out of military employment by the close of the war heard, like Dugald Dalgetty in similar circumstances, with inexpressible delight, that there was a hope of bloodshed in their own dear country. As long as Ireland was prosperous and peaceful they would never have troubled their native shores with their presence; but in becoming naturalized citizens of the United States they had mentally reserved a contingent right of rebellion against the English Government. In principle they unconsciously adopted the technical rule of nemo potest exuere patriam; but at the same time they regarded themselves as fully entitled to all the immunities of foreigners.

General Badeau, an able and eminent officer who is believed to possess the confidence of the President, has lately published in Macmillan's Magazine an address to his own countrymen, with the laudable object of diminishing their hostility to England, but unfortunately his appeal is founded on a misunderstanding of the English side of the controversy. He states with perfect truth that many Englishmen of all classes supported the Northern cause during the civil war; but the insuperable objection to Mr. Sumner's arguments and pretensions has nothing whatever to do with the feelings or wishes for which the people of an independent country owe no account to foreigners. General Badeau is also mistaken in his belief that the indignation caused by Mr. Sumner's speech was caused by garbled extracts. The whole speech has been published in full in several forms, and General Badeau may be well assured that all serious critics of that document were fully acquainted with every word which it contained. Mr. Fish's despatch, which was still more unreasonable and offensive, is the latest official statement of the American claim, and it furnishes an authoritative comment on those passages in the President's message which the majority of English journalists amicably and weakly attempted to explain away. When an American of the highest intelligence, sincerely desirous of friendly relations with England, adopts all the statements and arguments of Mr. Sumner and Mr. Fish, and passes over without notice Lord Clarendon's conclusive reply, which he has probably seen, although it was not communicated to the Senate, he only proves that the chasm which he desires to bridge over is as wide as ever.

WHAT IS THE USE OF A NAVY? From the N. Y. Herald.

The nation that has ruled the seas with her navy has controlled the commerce of the world. This is exemplified in the case of Great Britain, the greatest naval power on earth. History shows us how great commercial nations have gone to decay when one more powerful has sprung up to contest with them the supremacy of the ocean. The great East India trade, to which England owes her supremacy, has been the prize for which many nations have contended, and it finally fell into the hands of England from her having driven off all her rivals. From present appearances

it seems likely that this trade will remain | mitted. Some of these were adjudged guilty tages of the Pacific Railroad and the shortest

route from China. Our navy has never kept pace with the increase of our population or commerce—the rale that should govern a nation in building up a navy. When the Rebellion was crushed was the time for our statesmen to build up and maintain a permanent navy; for it was apparent to every one that but for the assistance given by the navy we should never have terminated the war. During the four years of the Rebellion we captured or destroyed a thousand vessels of all kinds. If this destruction were to take place during a war between this country and Great Britain it would do more to bring about a peace than the capture of a hundred vessels of war. The loss of the latter would not touch the pockets of the British merchant, while every capture of a trading vessel loaded with rich freights would

be felt throughout England. We had an example in the Alabama and the Shenandoah. It is well known to the world how much damage was done to us by these two ill-equipped Rebel cruisers, which destroyed millions of dollars' worth of our commerce without our being able to help ourselves, while our merchant ships in selfdefense had to be transferred to a foreign flag, thereby multiplying the commerce of our natural enemy. Had we possessed proper vessels at the commencement of the Rebellion, we could have kept these ocean rovers from doing us any injury. At this very mo-ment there are one hundred and seventeen foreign steamers running from our ports to those of Europe, which, if equipped and turned against us, as could be done in a week, could blockade every harbor on the Atlantic coast of the United States.

These are facts evident to the dullest comprehension; but the Bourbons of our country do not seem to learn anything. They rather invite a catastrophe which sooner or later must occur if steps are not taken to place the navy on a proper footing and take its fate from the hands of its enemies, or those who are charged with appropriating money for its maintenance. It is not necessary that we should keep up the expensive naval establishments of England, France, and Russia, but we should at least aspire to a navy equal to that wornout nation Spain, which has at the present time a larger force of ships and men in the waters of Cuba than we have in our entire navy. For what does she have such a force there but to intimidate us and prevent our interfering in the inhuman contest now going on? If we could launch upon the ocean the ships-of-the-line, frigates and sloops we had in our dockyards in 1855 we could dictate terms to the Spaniards at once and bring them to a sense of their inhumanity. They know our weakness as a naval power, and although they are aware that we could raise a hundred thousand troops in twenty-four hours to throw upon the "Ever Faithful Island," yet they are also aware that Spain commands the position, and could capture any land force at sea before the latter could have a chance to put foot on the soil of Cuba. This shows the necessity of a navy, providing we accord belligerent rights to the Cubans; but there are a thousand other reasons affecting our commerce which absolutely demand an increase of naval power. Our commerce, although at a low ebb just

now, cannot long remain so. We are a young and rapidly increasing country, with more re-sources than any other on the face of the earth, with a debt that is a mere bagatelle, and is rapidly being paid off. Although we may get set back for a time we cannot long remain so, any more than an enterprising merchant would in case he should meet with a business reverse; and if Congress is wise and not entirely Bourbon it will resuscitate our commerce by its votes this winter. Should this be done, in three years more our steamships would be driving from the ocean those who first crippled our commerce and then usurped it; and we owe it to ourselves that this just retribution should overtake those who acted with such bad faith towards us. England is not going to yield and give up a system that has reduced our commerce one-half and increased her own proportionally, and she will find means to involve us in a difficulty which will still leave her mistress of the ocean, unless we have a certain naval prestige that will cause her to respect and fear us.

All that is required is for the people of the United States to understand the wants of the nation to make them demand of Congress a proper navy for the protection of its citizens abroad. Now that we have a Navy Department competent and willing to advance the service, and the whole naval corps alive to the necessity of bringing it up to high-water mark, we say the occasion should not be lost, and instead of cutting down the appropriations Congress should increase them. navy yards should be put in condition to build, equip and repair any force we may need in the future, and we should have one hundred vessels at sea or ready for sea within the present year. This it only a little more than the Spaniards have in Cuba, where we have twelve vessels, one-third of our entire navy. HOW HANGING SECURES IMPUNITY

TO CRIME.

From the N. Y. Tribune. The Legislature of Pennsylvania is expected soon to vote on a bill which proposes that the jury which adjudges a culprit guilty of murder shall also adjudge that he be punished by death or by imprisonment for life, as to it shall seem best. We hope that this bill may pass, for many reasons; and among them because it will preclude the too general escape of murderers from any legal punishment at all.

Within sight of our city's steeples there have not been less than one hundred murders per annum for the last three years; yet not five men per annum have been hung within that radius. If it be held that the murderer goes unpunished unless his life be taken by the State, then it is clear that but one murderer in twenty is punished. There can be little terror to evil-doers in a penalty so rarely enforced. All experience testifies that certainty of punishment is far more effective than its severity. Yet certainty is not now attained, if it ever were; and the remark of the murderer Reynolds (or Breen) that "Hanging if played out," proves that raffians and miscreants fully understand this, and act accord

Now, it is as easy as it is false to say that the general failure to convict murderers is a result of morbid sentiment—of maudlin philanthropy. Those who uphold hanging are as slow to convict where the penalty is death as the rest of us. They shrink from sending a man to the gallows, not that they revolt at the thought of taking life, but that they fear to mistake where error, though detected, is utterly without remedy. And so they disagree, or adjudge the crime not clearly brought

home to the prisoner. Human testimony is fallible; that of circumstances not less so. Governor Hoffman reports that, during his first year of service, he pardoned quite a number of persons upon incontestable proof that they had been convicted of offenses which they never com-

with Great Britain, even with all our advan- on the testimony of the actual culprits, who screened themselves from punishment by swearing their own guilt upon others. In

other cases, the circumstances which pointed to the conclusion attained by the jury were afterwards shown to be consistent with the innocence of the man they convicted. For eighty years the surviving relatives of Lesurques, who was guillotined in France for robbery and murder, have been strenuously endeavoring to procure a legal attestation of his clearly proven innocence, but have not yet obtained it. Tribunals hate to confess their own blunders; and it is a burning shame that this State of New York persists to this hour in pardoning those whom she has unjustly accused, arrested, indicted, tried, convicted, sentenced, and punished, for crimes whereof they have since been proved absolutely guiltless.

Murderers are usually persons of unregulated minds and overmastering passions. It is rarely difficult to prove that they have acted strangely and without reasonable motive. The boundaries between insanity, eccentricity, and what has been termed "pure cussedness," are irregular and not clearly defined. Sanity is rather relative than absolute. Many if not most homicides are committed by persons of brutal proclivities, low mental development, and dull moral perceptions. We doubt that the really insane are generally so devoid of moral consciousness as not to know better than to kill. What they lack is not so much a sense of right and wrong as a perception of the considerations which should impel them to do right. And cases are constantly occurring in which, while it is clear that the accused is neither thoroughly sane nor absolutely insane, it is very difficult to decide that he is or is not sane enough to deserve punishment for his

evil deeds. If the penalty of an offense be imprison-ment for life, the jury has a comparatively easy task—merely to decide whether this person did or did not commit the crime laid to his charge. If he did, convict him, though his intellect be weak or impaired, and his moral sense obtuse; for he will be safer in prison than elsewhere and less likely to injure others; and, if his mind be shattered that fact will soon make itself known. Cases are constantly occurring in which the most sturdy upholders of the gallows would convict if the penalty were imprisonment, while they would not if the consequence were violent death.

We urge, therefore, the passage of the act now before the Pennsylvania Legislature, for the reason (among many) that it will treble the convictions for murder, and thus render the law a terror to men of homicidal proclivities, as it is not and cannot be so long as they know that nine out of every ten murderers escape legal punishment altogether.

BOSTON, HARTFORD, AND ERIE-\$45,000,000 GONE WHERE THE WOOD BINE TWINETH. From the N. Y. Sun.

The attention of the good people of Massachusetts is largely occupied just now with the affairs of the Boston, Hartford, and Erie Railroad Company, and the subject is also not without interest to philosophers everywhere. The facts, as we understand them are these:-

The corporation in question is a conglomeration of a number of smaller concerns, which, separately, had projected and par-tially built a line of railroad from Boston, through Providence and Hartford, to Fishkill on the Hudson river, with small side lines to other points. These companies four or five years ago agreed to unite, and were duly incorporated under their present name. The capital of the company was at first \$20,000,000, but has since been increased to \$25,000,000. For the purpose of raising money to complete the line and to consolidate its debt, the company issued bonds to the amount of \$20,000,000, securing them by first mortgage to Mr. Robert H. Berdell and others, as trustees. The President of the company was, and is yet, though he has lately offered his resignation, Mr. John S. Eldridge also at one time President of the Erie Railway Company.

Somehow, capitalists at large failed to appreciate the charms of these bonds and they old but slowly. Resort, it was seen, mus be had to special sources, or the delays in obtaining funds would be disastrous. The parties most vitally interested in the success of the enterprise were supposed to be the Erie Railway Company and the State of Massachusetts. Negotiations were accord ingly opened, which resulted in the former first guaranteeing \$5,000,000 of the Berdell bonds, and then taking them and paying for them \$4,000,000 in cash; while the Legisla ture of the latter was persuaded into issuing in exchange for \$4,000,000 of the same bonds, State bonds to the amount of \$3,000, 000, which were readily salable at par. These two subsidies, amounting to \$7,000,000, it was thought, would be sufficient to complete the road. The expected advantage to Massachusetts was the securing of a new avenue to the Pennsylvania coal fields and the fertile West, while the Erie Company, through its branch to Newburg, on the other side of the Hudson, epposite Fishkill, had the prospect of possessing an invaluable tribunal and ally.

Unfortunately there seems to have been some terrible miscalculation, or else exceedingly bad management of the business of the company, for the \$7,000,000 has been all used up, and now it is estimated that \$2,500,000 more is required to finish the road, and \$2,000,000 more still to equip it. The remaining \$11,000,000 of first mortgage bonds not disposed of as above mentioned, and the \$25,000,000 of stock, except what was issued in exchange for the stock of the various original companies, seems also to have been sold or pledged for a considerable sum, which has likewise been spent. The company finds itself, therefore, in desperate straits.

As a last expedient, the State of Massachusetts has been appealed to for an additional loan off bonds. It is proposed to issue mortgage bonds for \$10,000,000, and try and substitute these bonds for \$5,000,000 of the Berdell or first mortgage bonds in the hands of the roney lenders who have loaned money upon them, provided Massachusetts will agree to accept them in exchange for a further issue of her own bonds. In view of this proposition, the Messachusetts Legislature is now baving the affairs of the company investigated by a special committee, and the evidence taken by this committee, as published from day to day in the Boston papers, is as wonderful a story as that of the gold conspiracy. Whatever the report of the committee may be, it is quite plain that unless more mone obtained in some way, the \$3,000,000 already advanced by the State will be irrevocably lost, since the road, in its present incomplete condition, earns comparatively nothing. Should the action of the Legislature be favorable to the wishes of the company, however, there is reason to believe not only that the whole mortgage debt of \$30,000,000 might be good, but also that the stock, now selling at three cents on the dollar, might

ultimately prove remunerative.

DEBTS IN PENNSYLVANIA. From the N. Y. World.

Like the Apostle of the Gentiles, the Public Ledger of Philadelphia seems to have a hard time of it at its Ephesus. Alone it fights the battle of honesty and law against doubtful and delinquent corporations-a commonwealth that at least hesitates as to its plain duty of integrity-and without the countenance and co-operation of a single organ of public opinion. It has contended from the beginning that since the Supreme Court of the United States has settled the law, every debtor, individual or corporate, is bound by that law and must meet its obligations accordingly It has, furthermore, fully re-pudiated the idea that the infusion of new blood into the court of last resort would change the law. Nay, it went further, and when a neighboring corporation proposed a sort of speculative discharge of its debts, the Ledger denounced it, and, departing from its usual impersonal habit, called public attention, without naming him, to a judge of the State Supreme Court who was a party to the discreditable arrangement. The effect of this apparently was that the parties were made ashamed of what they were about, and the corporation, judge and all, gave up the scheme. In all this the Ledger had not the support, as we have said, of a single newspaper in Philadelphia; and from one, and that, according to the Philadelphia scale, a leading one, it has had active opposition. We said the other day — prematurely, as it now seems — that the cavils of Forney's Press on this subject had ceased, and that, having done all the harm it possibly could to Judge Strong, it would not meddle with Judge Bradley. Far is this from being the case. Every day since the confirmation of this distinguished gentleman has this slander been repeated, and in the paper of the 24th the assertion is made that Mr. Bradley "hastened" to Washington in order to do his share of the dirty work, for which the Press thinks him eminently fitted. This and the evident absence of support which the Public Ledger is receiving at home has led it again to speak out boldly in behalf of honesty and law. After publishing a very earnest communication on the subject, the Ledger puts a question, in the answer to which many a New York and European capitalist has a deep interest. We therefore re-

"We commend the foregoing very able article of this highly important judgment to all States, cities, companies, and individuals that may hope to evade the consequences which this decision carries with it, and advise them to ponder carefully what our correspondent says. They will consult true wisdem by at once setting about the necessary preparations to meet the requirements of the law as expounded by the Supreme Court. In this connection we here re peat the question several times asked us:—In what kind of money do the Pennsylvania Railroad Com-pany, the Reading Railroad Company, the Philadel-phia and Erie Railroad Company, the Camden and Amboy Bailroad Company, the North Pennsylvania Railroad Company, the Sunbury and Erie Railroad, and the Morris Canal Company intend to pay the and the Morris Canal Company intend to pay the interest due on their respective bonds on the 1st o

The 1st of April will be a trying day for loyal Philadelphia and its super-loyal corpora tions. We have no fear as to New Jersey.

THE PIEGAN VILLAGE SLAUGHTER. From the N. Y. Times.

The supplementary report of Colonel Baker upon his expedition against the Piegans is at least a partial relief from the reports that preceded it. The combat was not quite as black as it has been painted; the slaughter of non-combatants was not quite so appalling as at first reported; the affair was some thing more of a fight and less of a simple butchery than we had been at first led to suppose. This, we say, is a relief pro tanto; for while some of our contemporaries were evidently bent on applauding the affair, whatever it might turn out to be, we doubt whether any one of them is not now rejoiced to see the altered ratio of combatants to noncombatants among the slain, believing, whatever his previous declarations, that a stigma has been in part removed from our soldiery.

But Colonel Baker's report, while making matters better, does not make them entirely right or satisfactory. Upon the "judgment of his officers," and putting the best face on the affair, he fixes, by mere opinion, a "number which approximates nearly to the truth; and even this rude estimate admits the kill ing of no less than fifty-three women and children in the Piegan camp. In addition, he reports "one hundred and forty women and children captured and released." Released to what? To starvation and freezing to death. Colonel Baker reports that he burned the camp to the ground, and absolutely everything in it—food, clothing, forage, all the winter supplies. We are next told that these captives were helpless by reason of disease, the camp being attacked with small-pox. We are assured again that he had no transportation for bringing them in, and no provisions to feed them with. Finally, we are reminded that this expedition occurred at a season when the thermometer was far below zero-one correspondent of the Times says "forty degrees below zero." We ask again, released to what? And in what was the fate of the 140 captives preferable that of the 53 slain women and

children. We have never desired to recur to this Piegan affair for specific criticism or complaint. Take it whatever way you will, and with whatever explanation, it is an ugly affair, and nothing to brag of. We admit that under the old, shifting, unsettled Indian policy, it has only been possible for our army to strike and strike hard. What we assert, with Secretary Cox, is that it is time for that policy to end, and for one to be adhered to by Congress, which will not require Piegan slaughters. If the massacre will only do good in calling attention to the absolute necessity of completing such a policy forthwith, and steadily executing it, in the way the Secretary of the Interior advises, we shall be content.

A MANLIKE PROPOSAL.

From the Cincinnati Gazette. It must be conceded that the masculine excels the feminine mind in its habit of taking an important and comprehensive view of a question; for the female mind is apt to judge things from its own standpoint, and to jump at conclusions from a one-sided view. This superiority of the masculine mind is particularly observable in its reflections on the effort of women to throw off their political disabilities. Thus Mr. Horace Greeley, a man who reduces every proposition to the last extremity of philosophical reason, declares that God and nature have designed women for household duties and not for jurors. And then comes the New York Times, and with the same masculine comprehensiveness of view declares thus:-

"Our proposition that women should demonstrate in a more general and satisfactory manner than at present their capacity to govern their servants and firesides before insisting upon having other and more ardsons labor devolved upon them, meets favorable responses in many quarters.

Let us add our voice to these favorable respenses. This is a principle that will regenerate government and society. And like all true principles it has no distinctions of sex. Let it be ordained that before any person shall exercise those political privileges or rights which make him a participator in gov-

erning others he shall be requested to have demonstrated his capacity to govern himself and his own affairs, and we shall have here a government and society more perfect than the

sun ever shone on. And as the act of some advanced women in taking possession of their inalienable right to be jurors has given a new impetus to the masculine mind in this discussion, let this rule-be applied to that breed of court-house rats who follow the profession of jurymen. Let each one of them be challenged and put to the question if he has shown capacity to attend to his own business, to earn his living, to take care of his earnings, and to govern and provide for his wife and children. Fancy what a reform this would work in jury trials And when we have thus established a rule of qualifications, we shall have no mare talk of excluding those possessed of them because

And this is but the beginning of the working of this rule. To vote is to have a voice in making the laws governing others. right has he to govern others, who is incapable of taking care of himself? Let it be ordained that when any person seeks to be endowed with this franchise, he shall be required to show that he has capacity to earn his living, and that he has well discharged all his responsibilities. What a reform would there be if this standard were applied only to those who seek office! We should need no civil service bill then. And when we have thus made the exercise of political privileges a question of demonstrated capacity, we shall no longer need political distinctions of sex.

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